

PLANNING COMMISSION MINUTES

June 11, 2003

CALL TO ORDER:

Chairman Bob Barnard called the meeting to order at 7:00 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive.

ROLL CALL:

Present were Chairman Bob Barnard, Planning Commissioners Eric Johansen, Dan Maks, Vlad Voytilla, and Scott Winter. Planning Commissioners Gary Bliss and Shannon Pogue were excused.

Senior Planner Kevin Snyder, Assistant City Attorney Ted Naemura and Recording Secretary Sandra Pearson represented staff.

The meeting was called to order by Chairman Barnard, who presented the format for the meeting.

VISITORS:

Chairman Barnard asked if there were any visitors in the audience wishing to address the Commission on any non-agenda issue or item. There were none.

STAFF COMMUNICATION:

Observing that the City Council's approval of the application of Salem Communications has been appealed by the neighbors, Assistant City Attorney Ted Naemura pointed out that this appeal to the Land Use Board of Appeals (LUBA) should have briefing completed by mid-July 2003.

NEW BUSINESS:

Chairman Barnard opened the Public Hearing and read the format for Public Hearings. There were no disqualifications of the Planning Commission members. No one in the audience challenged the right of any Commissioner to hear any of the agenda items, to participate in the hearing or requested that the hearing be postponed to a later date. He asked if there were any ex parte contact, conflict of interest or disqualifications in any of the hearings on the agenda. There was no response.

1 **PUBLIC HEARINGS:**

2
3 **A. TA 2003-0001 – SECTION 20.20.50.E AMENDMENTS**

4 This application involves amendments to Section 20.20.50.E (Site
5 Development Requirements – Regional Centers to:

- 6
7 1. Remove the maximum floor area ratio requirements for the
8 Regional Center-Transit Oriented (RC-TO) and the
9 Regional Center-Old Town (RC-O T) in Section
10 20.20.50.E.5.C;
11 2. Revise Section 20.20.50.E.5.D to specify that the maximum
12 floor area requirements are specific to the Regional Center-
13 East District (RC-E) zoning district only;
14 3. Revise Section 20.20.50.E.5.E to specify that the maximum
15 floor area requirements are specific to the Regional Center-
16 East District zoning district only and to modify three of the
17 current ratios in the Percent Non-Residential Floor Area to
18 Percent Residential Floor Area table from 1.2 to 1.0, 1.2 to
19 1.1, and 1.5 to 1.2; and
20 4. Remove the reference to multiple use in Section
21 20.20.50.E.5.F.
22

23 Senior Planner Kevin Snyder submitted into the record a facsimile letter received
24 from Domonic Biggi on June 11, 2003, indicating general acceptance of the
25 proposed changes with regard to removal of the maximum Floor Area Ratio
26 (FAR) requirements.
27

28 Mr. Snyder presented the Staff Report and introduced Economic Development
29 Manager Janet Young and Consultant John Spencer (Spencer and Kupper).
30 Observing that the intent of these amendments is to increase the development
31 flexibility within the RC-E Regional Center-Transit Oriented (RC-TO) and
32 Regional Center-Old Town (RC-OT) zoning districts in order to respond to
33 current and future transit urban downtown development, he noted that within the
34 City of Beaverton, 296 properties are zoned RC-OT, with an average parcel size
35 of 11,720 square feet, and that 148 properties are zoned RC-TO, with an average
36 parcel size of 39,044 square feet. He pointed out that this should provide a
37 general idea of the average size and number of properties that would be impacted
38 by the proposed amendments, adding that in response to 300 notices that were
39 mailed to the property owners within these zoning districts, staff had received
40 four telephone calls and one e-mail. He emphasized that all of this contact
41 requested clarification with regard to the proposal and that none of the comments
42 addressed specific approval criteria or substantive issues or concerns.
43

44 Mr. Snyder explained that both the minimum and maximum floor area ratios that
45 are currently in the Development Code are not required by either the City's
46 Comprehensive Plan or Metro, adding that they had been the result of a

1 discretionary action on the part of the City of Beaverton when the standards were
2 originally adopted. He noted that the amendments alone would provide the
3 flexibility for more compact, creative, and innovative mixed use development,
4 emphasizing that the development standards such as maximum building height
5 and setback requirements would remain in effect in order to guide the ultimate
6 design and density of the development. He clarified that while this action would
7 not eliminate limitations on design or density within these zoning districts, it
8 would provide for flexibility as it relates to the design of the density while other
9 standards would continue to apply.

10
11 Mr. Snyder observed that the proposed amendments are consistent with approval
12 criteria in Development Code Section 40.85.15.1.C.1-7, Metro's Urban Growth
13 Management Functional Plan, applicable policies of the Comprehensive Plan, and
14 the Beaverton Development Code. He recommended that the Planning
15 Commission open the Public Hearing, receive public testimony, close the Public
16 Hearing, consider testimony and facts and findings within the Staff Report, and
17 recommend approval to the City Council. Concluding, he offered to respond to
18 questions.

19
20 **PUBLIC TESTIMONY:**

21
22 No member of the public testified with regard to this application.

23
24 The public portion of the Public Hearing was closed.

25
26 Commissioners Voytilla, Winter, Johansen, and Maks and Chairman Barnard all
27 expressed their support of the application as meeting applicable criteria.

28
29 Chairman Barnard requested clarification with regard to why the maximum FARs
30 had been imposed originally.

31
32 Mr. Snyder advised Chairman Barnard that this is a good question. He noted that
33 his review of the previous written record does not provide much guidance on this
34 question. He stated that he had consulted with members of staff involved in the
35 creation of Regional Center policies at that time, leading him to believe that it was
36 an effort to eliminate the potential for a disruption of the existing character of the
37 downtown area and phase in the impact of the new regulations.

38
39 Commissioner Johansen **MOVED** and Commissioner Voytilla **SECONDED** a
40 motion to **APPROVE** TA 2003-0001 – Section 20.20.50.E Amendments to the
41 Maximum Floor Area Requirements in RC-TO and RC-OT Zoning Districts,
42 based upon the testimony, reports and exhibits, and new evidence presented
43 during the Public Hearings on the matter, and upon the background facts, findings
44 and conclusions found in the Staff Report dated June 4, 2003.

45
46 Motion **CARRIED** by the following vote:

1 **AYES:** Johansen, Voytilla, Maks, Winter, and Barnard.
2 **NAYS:** None
3 **ABSTAIN:** None.
4 **ABSENT:** Bliss and Pogue.

5
6 **APPROVAL OF MINUTES:**
7

8 Minutes of the meeting of April 30, 2003, submitted. Commissioner Maks
9 requested that lines 4 and 5 of page 7 be amended, as follows: "...be a significant
10 increase in overall use of this facility, **or if so, what the impact would be.**"
11 Commissioner Voytilla requested that lines 27 through 29 of page 5 be amended,
12 as follows: "...and agencies throughout the community ~~might wish to~~ **would** rent
13 this facility for their events, observing that these ~~potential~~ activities would
14 ~~potentially~~ generate additional spectators, which would create additional traffic
15 and the need for..." Commissioner Maks **MOVED** and Commissioner Voytilla
16 **SECONDED** a motion that the minutes be approved, as amended.

17
18 Motion **CARRIED**, unanimously.
19

20 Minutes of the meeting of May 14, 2003, submitted. Commissioner Maks
21 requested that line 39 of page 32 be amended, as follows: "...Friends of Cooper
22 Mountain, Mr. ~~Grillo~~ **VanDeHey** pointed...", adding that lines 32 through 36
23 should be removed. Commissioner Maks **MOVED** and Commissioner Johansen
24 **SECONDED** a motion that the minutes be approved as amended.

25
26 Motion **CARRIED**, unanimously.
27

28 Minutes of the meeting of May 21, 2003, submitted. Commissioner Maks
29 requested that line 11 of page 12 be amended, as follows: "...that some of the
30 Conditions of Approval ~~are~~ **seem** onerous." Commissioner Voytilla **MOVED**
31 and Commissioner Winter **SECONDED** a motion that the minutes be approved,
32 as amended.

33
34 Motion **CARRIED**, unanimously, with the exception of Commissioner Johansen,
35 who abstained from voting.
36

37 Minutes of the meeting of May 28, 2003, submitted. Observing that he had been
38 the only Planning Commissioner in attendance at this meeting, Chairman Barnard
39 **APPROVED** the minutes as written.
40

41 **MISCELLANEOUS BUSINESS:**
42

43 Commissioner Johansen noted that he would not be in attendance at the meeting
44 scheduled for June 25, 2003.
45

1 Commissioner Maks observed that while he would not be in attendance at the
2 meeting of June 25, 2003, he would be available on July 2, 2003.

3

4 Chairman Barnard pointed out that Commissioner Bliss would also be absent on
5 June 25, 2003.

6

7 Commissioner Voytilla mentioned that he would be abstaining from participating
8 in one of the items on the agenda on June 25, 2003.

9

10 Mr. Snyder mentioned that the applications with regard to Crescent Hill
11 Apartments would be continued on June 25, 2003 to July 2, 2003.

12

13 Commissioner Voytilla noted that he would be unavailable for the meeting of July
14 30, 2003.

15

16 The meeting adjourned at 7:23 p.m.